

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, November 17, 2020, 9:00 a.m.

Meeting provided by Video Live-Broadcast and Telephonically

Present: Chairman James Beaver
Commissioner Jerome Delvin (via/WebEx)
Commissioner Shon Small (via/WebEx)
County Administrator Jerrod MacPherson
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Matt Rasmussen, Deputy County Administrator; Robert Heard, IT Manager; Lorene Roe, Chief Deputy Auditor; Commander Steve Caughey, Sheriff's Office; DPA Ryan Brown; DPA Reid Hay; DPA Stephen Hallstrom; Greg Wendt, Planning Manager.

Approval of Minutes

The Minutes of November 10, 2020 were approved.

Agenda Review

Mr. MacPherson stated they would like to add the following items to the agenda:

- Discussion – potential letter in response to recent statement by Governor Inslee
- Ongoing Litigation
- Potential Litigation

Consent Agenda

MOTION: Commissioner Delvin moved to approve the consent agenda items “a” through “bb”. Commissioner Small seconded and upon vote, the Board approved the following:

Auditor

- a. Canvassing Board Appointment

Clerk

- b. Agreement w/Michelle Dolven for Family Law Facilitator Services

Commissioners

- c. Line Item Transfer, Fund No. 0000-101, Dept. 115
- d. Line Item Transfer, Fund No. 0000-101, Dept. 115 to 109
- e. Deed for Boundary Line Adjustment for a Portion of Tract A, Meadow Springs Ranch No.

Coroner

- f. Agreement w/SightLife for Recovery Services

Facilities

- g. Contract w/C&E Trenching LLC for Snow Removal

Human Resources

- h. Line Item Transfer, Fund No. 0504-101, Dept. 000
- i. Line Item Transfer, Fund No. 0503-101, Dept. 000

Information Technology

- j. Line Item Transfer, Fund No. 0502-101, Dept. 000
- k. Line Item Transfer, Fund No. 0132-101, Dept. 000
- l. Purchase of Two Catalyst Port Switches From CompuNet, Inc.
- m. Purchase of Three Laptops for Human Services From Dell Inc.
- n. Purchase of Wireless Devices Services From Celco Partnership

Juvenile

- o. Amended Contract No. 3 w/NCIC Inmate Communications for Inmate Telecommunications Systems & Services
- p. Agreement w/State of WA, Administrative Office of the Courts for Court Interpreter Services
- q. Contract w/Lutheran Community Services Northwest for Mental Health Assessments

Office of Public Defense

- r. Superior Court Public Defense Agreement w/Branden Landon
- s. Superior Court Public Defense Agreement w/Justin Andrews
- t. Superior Court Public Defense Agreement w/Michelle Alexander

Parks

- u. Contract w/Knutzen Consulting Engineering for Engineering & Design Services for Hover Park Parking Lot

Public Safety

- v. Line Item Transfer, Fund No. 0148-101, Dept. 120
- w. Line Item Transfer, Fund No. 0148-101, Dept. 117
- x. Line Item Transfer, Fund No. 0148-101, Dept. 115

Public Works

- y. Line Item Transfer, Fund No. 0501-101, Dept. 650

Sheriff

- z. Agreement w/City of Kennewick for Use of Kennewick Firearms Range Facility
- aa. Agreement w/WA Traffic Safety Commission for Overtime Grant Funding; Rescinding Resolution 2020-787

Sustainable Development

- bb. Line Item Transfer, Fund No. 0135-101, Dept. 000

Public Comment

None.

Position Requests – Auditor’s Office

Lorene Roe said they had two positions in their office that were being vacated. One was an accounts payable clerk who gave notice of her retirement and the other was an office assistant in the Elections Department that gave notice of resignation. The Accounting Support Specialist was very essential, and her backup position had less than six months with the County, so it was imperative they get this position replaced as soon as possible. Normally, they could absorb the loss of the position in the Elections Department until the hiring freeze was over, but they were anticipating a countywide election in February and this position was needed.

MOTION: Commissioner Small moved to approve posting and filling Position 1165, an Office Assistant III in the Auditor’s Office and Position 1152, an Accounting Support Specialist in the Auditor’s Office. Chairman Beaver seconded and upon vote, the motion carried.

Position Requests - Sheriff’s Office

Commander Caughey said the Sheriff’s Office had recent vacancies due to the retirement and resignation of deputies. Currently, the Sheriff’s Office has three vacancies and it is imperative to fill the positions to ensure they maintain a high level of public safety. They have two candidates ready to hire, with one of the positions to be filled in the future.

MOTION: Commissioner Small moved to approve posting and filling both positions, PST Position 1494, a Detective in the Sheriff’s Office and PST Position 1802, a Deputy in the Sheriff’s Office. Commissioner Delvin seconded and upon vote, the motion carried unanimously.

Position Requests - Animal Control and Building Department

Mr. MacPherson stated that both the Canine Control Supervisor and the Building Manager were retiring, and he was requesting authorization to fill both positions as they were the lead for their respective departments and needed to be filled.

MOTION: Commissioner Small moved to approve posting and filling Position 1137, the Building Manager and Position 1146, Canine Control Supervisor. Commissioner Delvin seconded and upon vote, the motion carried.

Other Business

Response Letter to Governor

Mr. MacPherson indicated the cities were discussing a joint letter to be sent to the Governor about the recent rollback concerning COVID-19. He said the message they had been receiving was that the increase in recent cases was related to social gatherings, and not retail and other services. He asked the Board if it was interested in sending a letter expressing the County’s concerns regarding this decision, as either a joint letter with the cities and/or Franklin County.

The Board indicated it was good with sending a joint letter or stand-alone letter and agreed to have Mr. MacPherson reach out to those agencies to see about sending a joint letter.

MOTION: Commissioner Small moved to approve sending the proposed letter and authorize the Chairman to sign as soon as possible. Commissioner Delvin seconded and upon vote, the motion carried.

Rattlesnake Mountain/Hanford Site

Commissioner Small discussed a phone call he received from a farmer on Rattlesnake Mountain whose property bordered the Hanford site. He said there was an issue with their cattle crossing the fence line, and then the farmers being told they are being charged for someone keeping their cattle and having to pay a fee to receive them back.

Mr. Fyall said he could contact DOE to discuss the issue and would draft a letter for the Board's review. The Board agreed.

Executive Session – Pending Litigation

Jerrold MacPherson announced at 9:21 a.m. the Board would be going into executive session for up to 30 minutes to discuss pending litigation. The Board briefly recessed to reconvene in the Executive Conference Room.

Present were Chairman Beaver, Commissioners Small and Delvin (via/teleconference), Jerrold MacPherson, Matt Rasmussen, Greg Wendt, Ryan Brown, Reid Hay, and Cami McKenzie. The Board came out of executive session and briefly recessed to reconvene back in the Commissioners' Conference Room.

The Board came out at 9:44 a.m. and announced that no decisions were made in executive session.

MOTION: Commissioner Delvin moved to direct the Civil PA's office to file an appeal regarding the land use issue in Benton City. Commissioner Small seconded and upon vote, the motion carried.

MOTION: Commissioner Delvin moved to direct Planning staff to review code amendments (for both zoning and the comprehensive plan) to allow farm workers to reside together in zones that allowed residential use and to add language to not discriminate against someone's occupation. Commissioner Small seconded and upon vote, the motion carried.

Executive Session – Ongoing Litigation

Jerrold MacPherson announced at 9:47 a.m. the Board would be going into executive session for up to 10 minutes to discuss ongoing litigation. The Board briefly recessed to reconvene in the Executive Conference Room.

Present were Chairman Beaver, Commissioners Small and Delvin (via/teleconference), Jerrod MacPherson, Matt Rasmussen, Ryan Brown, Stephen Hallstrom, Linda Ivey, Lexi Wingfield and Cami McKenzie. The Board came out of executive session and briefly recessed to reconvene back in the Commissioners' Conference Room.

The Board came out at 10:03 a.m. Mr. Hallstrom announced the Board discussed ongoing litigation and no action was taken. Additionally, he stated there was a slight delay due to technical difficulties.

Executive Session – Potential Litigation

Jerrod MacPherson announced at 10:04 a.m. the Board would be going into executive session for up to 30 minutes to discuss potential litigation. The Board briefly recessed to reconvene in the Executive Conference Room.

Present were Chairman Beaver, Commissioners Small and Delvin (via/teleconference), Jerrod MacPherson, Matt Rasmussen, Ryan Brown, Linda Ivey, Scott Souza and Cami McKenzie. The Board came out of executive session and briefly recessed to reconvene back in the Commissioners' Conference Room.

The Board came out 10:30 a.m. Mr. MacPherson announced that no decisions were made in executive session.

Payroll

Check Date: 11/05/2020

Payroll Checks

Total all funds: \$2,374,833.63

Warrant #: 242832-242889

Direct Deposit #: 157138-157746

Payroll Deductions/Transfers

Total all funds: \$2,289,620.99

Taxes #: 101201101-101201111

ACH #: 1504-1510

Payroll Deductions/Warrants

Total all funds: \$131,578.75

Warrant #: 211467-211474

Accounts Payable

Check Date: 11/10/2020

P-Cards #: 1120

Total all funds: \$312,555.46

Resolutions

- 2020-844: Agreement w/Michelle Dolven for Family Law Facilitator Services
2020-845: Line Item Transfer, Fund No. 0000-101, Dept. 115
2020-846: Line Item Transfer, Fund No. 0000-101, Dept. 115 to 109
2020-847: Deed for Boundary Line Adjustment for a Portion of Tract A, Meadow Springs Ranch No. 2

2020-848: Agreement w/SightLife for Recovery Services
2020-849: Contract w/C&E Trenching LLC for Snow Removal
2020-850: Line Item Transfer, Fund No. 0504-101, Dept. 000
2020-851: Line Item Transfer, Fund No. 0503-101, Dept. 000
2020-852: Line Item Transfer, Fund No. 0502-101, Dept. 000
2020-853: Line Item Transfer, Fund No. 0132-101, Dept. 000
2020-854: Purchase of Two Catalyst Port Switches From CompuNet, Inc.
2020-855: Purchase of Three Laptops for Human Services From Dell Inc.
2020-856: Purchase of Wireless Devices Services From Cellco Partnership
2020-857: Amended Contract No. 3 w/NCIC Inmate Communications for Inmate Telecommunications Systems & Services

2020-858: Agreement w/State of WA, Administrative Office of the Courts for Court Interpreter Services

2020-859: Contract w/Lutheran Community Services Northwest for Mental Health Assessments

2020-860: Superior Court Public Defense Agreement w/Branden Landon
2020-861: Superior Court Public Defense Agreement w/Justin Andrews
2020-862: Superior Court Public Defense Agreement w/Michelle Alexander
2020-863: Contract w/Knutzen Consulting Engineering for Engineering & Design Services for Hover Park Parking Lot

2020-864: Line Item Transfer, Fund No. 0148-101, Dept. 120
2020-865: Line Item Transfer, Fund No. 0148-101, Dept. 117
2020-866: Line Item Transfer, Fund No. 0148-101, Dept. 115
2020-867: Line Item Transfer, Fund No. 0501-101, Dept. 650
2020-868: Agreement w/City of Kennewick for Use of Kennewick Firearms Range Facility
2020-869: Agreement w/WA Traffic Safety Commission for Overtime Grant Funding
2020-870: Line Item Transfer, Fund No. 0135-101, Dept. 000

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman